



COMMISSION RECOMMENDATION

Municipal Civil Service Commission

Recommendation Number: 20140825-003B

Approve compensation to Municipal Civil Service Commissioners for their services

WHEREAS, Article IX, Section 2(D) of the City Charter provides that the City Council may determine in advance that Commissioners will be paid for their services; and

WHEREAS, the Commissioners have been notified by the Municipal Civil Service Director that the established Hearing schedule will not adequately and efficiently address the number of appeals that were originally estimated and are anticipated to be submitted; and

WHEREAS, the Commission met 16 times from November 2013 to May 2014 developing the recommendation to City Council regarding the Municipal Civil Service Rules; and

WHEREAS, the Commissioners are currently scheduled to hear ten (10) Appeal Hearings before the Municipal Civil Service Commission from September 2014 to December 2014 and had to make additional dates available to schedule hearings; and

WHEREAS, the majority of the Commissioners have other full-time employment; and

WHEREAS, the Commissioners have committed to hold full days for Appeal Hearings so the hearings can occur during the work day, which is a departure from other board and commissions that meet for a few hours outside the working day; and

WHEREAS, the Commission believes it is necessary to offer compensation to Commissioners to encourage a diverse, qualified, and dedicated population to apply to serve as Commissioners in the future; and

WHEREAS, Hearing Officers were compensated per Hearing in the previous Grievance Process; and

NOW THEREFORE, BE IT RESOLVED, that the Municipal Civil Service Commission recommends that City Council approve compensation for Commissioner appearance and service at Appeal Hearings, not including any other meeting at which an employee appeal is not heard.

Date of Approval: August 25, 2014

Record of the vote: Unanimous on a 5-0 vote

Attest: 
Municipal Civil Service Staff Liaison



Municipal Civil Service Commission

PO Box 1088, Austin, TX 78767

www.austintexas.gov/municipalcivilservice

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Commissioner

Lynn Rubinett
Commissioner

Kevin Russell
Commissioner

DATE: September 10, 2014
TO: Mayor and Council Members
FROM: Kimberlee Kovach, Chair, Municipal Civil Service Commission
SUBJECT: Recommendation for Commission Compensation

On behalf of the City of Austin Municipal Civil Service Commissioners, we write this letter to inform the Mayor and Council that, following your adoption of the Commission's proposed rules and procedures, we are preparing to conduct our first hearings. We are also writing to ask that Council compensate Commissioners for conducting Appeal Hearings. We do not seek compensation for business meetings, but only for the actual hearings held. The need for such compensation was anticipated and is specifically provided for in Article IX, Section 2(D), City Code.

In accordance with the City Charter and Code sections that established the Commission, our responsibilities include the creation and implementation of a Civil Service System. Since our appointment in May of 2013, we have met on numerous occasions to draft, edit and finalize the entire Civil Service System. The Commission has established Rules for all matters concerning employment, ranging from hiring to dismissal. The Rules also contain the provisions for the entire hearing process, serving to guide both the aggrieved employee and the departments through the difficult process of resolving employment disputes.

As we embark upon conducting the Appeal Hearings, it has become apparent that a great deal of time will be spent in the hearing process. Considering both prior hearing history and the hearing rules, it is necessary to allocate an entire day for the presentation of each case, including evidence, arguments, deliberations, decision-making then drafting, executing, and announcing the final decision. In addition, the Commission staff has received ten hearing requests in two months, which, if this trend continues, will result in many more hearings than were held under the prior system. The number of cases filed to date has exceeded the anticipated schedule for Appeal Hearings per month, requiring Commissioners to commit to additional full days for Appeal Hearings.

Unlike other boards and commissions which meet only for a few hours during the evening on a monthly or quarterly basis, the Commissioners will hold daylong hearings several times a month, during typical workday hours. The hearings must be held during the day, given their expected length. As most of the Commissioners are employed full time, days spent in hearings will result in significant lost income. Compensation is a reasonable response to this situation, serving to assure the continued interest and dedication of qualified Commission members both now and for future appointments. It should also be noted that Hearing Officers under the old grievance process were compensated per hearing.

We appreciate your consideration of our request and have attached a Commission approved Recommendation.